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cont.

-- 46. (New) An assembly of carpet tiles having an appearance of continuity in which no tile looks out of place, each of the tiles having a textile face comprising means for rendering the position and orientation of the tiles irrelevant to the appearance of continuity across the assembly of tiles. --

-- 47. (New) An assembly of side-by-side carpet tiles, each of which tile has a textile face comprising a pattern not identical to any other tile of the assembly, the patterns having shapes and colors rendering the appearance of the tiles continuous across the assembly so that no tile looks out of place or out of position in any place or position in the assembly. --

-- 48. (New) An assembly of carpet tiles presenting a continuous appearance, wherein each tile is rotationally oriented in the assembly and wherein the rotational orientation of at least one tile may be altered without disrupting the appearance of continuity. --

### REMARKS

This amendment affirms applicants' assignee's election to pursue in this application Invention II (claims 1-24), cancels claims 25 and 26 without prejudice, amends claims 1-20, 23, and 24, and adds new claims 27-48. With this amendment, claims 1-24 and 27-48 are pending in this application. A check including the amount of \$528.00 is enclosed to cover these amendments and additions. Additionally, a petition for a time extension and \$110 fee for the extension period is enclosed. No further fees are due; however, the Patent Office is authorized to debit deposit account 11-0855 if it determines otherwise.

#### I. Introduction

Applicants have invented a type of carpet tile that has a design that makes an assembly of such tiles have a continuous appearance (what U.S. Patent No. 6,203,879 to Desai, the reference relied upon by the Action for rejecting all of the pending claims, refers to as "monolithic," e.g.

Desai, col. 1, lines 28-34) regardless of the relative orientation of the tiles in the assembly. Applicants have coined a term, “orthogonally ambiguous,” which has no prior meaning in the carpet tile field, to refer to tile designs that exhibit this property. The specification clearly defines “orthogonal ambiguity” to mean “that tiles may be laid in any side-by-side orientation with respect to adjacent tiles without looking out of place to the ordinary viewer and thereby still achieving an appearance of continuity across the entire installation as if the tiles were part of a broadloom web.” Specification at page 2, lines 14-17. An applicant for a patent application can elect to be his own lexicographer “by providing an explicit definition in the specification for a claim term. In such a case, the definition selected by the patent applicant controls.” *Renishaw PLC v. Marposs Societa' Per Azioni*, 158 F. 3d 1243, 1249 (Fed. Cir. 1998). The Patent Office has explicitly authorized this practice:

Applicants need not confine themselves to the terminology used in the prior art, but are required to make clear and precise the terms that are used to define the invention whereby the metes and bounds of the claimed invention can be ascertained. . . . When the specification states the meaning that a term in the claim is intended to have, the claim is examined using that meaning, in order to achieve a complete exploration of the applicant's invention and its relation to the prior art.

MPEP 2173.05(a).

The applicants clearly defined “orthogonal ambiguity” in the specification. Thus, this term must be understood to mean in the claims what applicants defined it to mean in the specification.

## **II. The Office Action**

The Office Action includes a restriction requirement, requiring Applicants to elect prosecution of claims drawn to the method (claims 25 and 26) or the article (claims 1-24). With the exception of claim 21, the Action also rejects all of the claims under either § 102 and § 103

as unpatentable over, at least in part, Desai, maintaining that Desai discloses “orthogonally ambiguous” tiles. As explained below, Desai does not disclose orthogonally ambiguous carpet tiles within the meaning of the term as defined in this application. The Action does not reject the claims on any other basis besides § 102 and § 103.

The undersigned and Kris Johnson, Applicants’ counsel, scheduled an interview with the Examiner to explain the meaning of the term “orthogonally ambiguous” and identify differences between the claimed subject matter and the prior art.

### **III. Interview**

The interview took place on June 18, 2002 and was attended by John Pratt and Kris Johnson, representing the Applicants, Examiner Jane Rhee, and Supervisory Primary Examiner Harold Pyon. Mr. Pyon objected to the form of claim 1, maintaining that it recited no structure. Mr. Pratt explained that the structure was the carpet tile having the recited “orthogonally ambiguous” property, and, because no carpet tiles have previously exhibited this property, the claim need recite no further structure.

Mr. Pyon then expressed his lack of understanding of the term “orthogonally ambiguous.” In an effort to clarify the claim terminology, Mr. Pratt presented examples of non-orthogonally ambiguous carpet tiles in photographs and then actual samples of the orthogonally ambiguous carpet tiles of the present invention. He then distinguished, as set forth below, the claimed subject matter from the prior art reference Desai. While Mr. Pyon repeatedly objected to the form of claim 1 – an objection not made in the outstanding Office Action – he never asserted that the art of record exhibited orthogonal ambiguity as applicants have defined that term.

#### **IV. Response to Office Action**

##### **A. Election/Restriction**

The Office Action imposed restriction to:

- I. Claims 25-26, drawn to the method, classified in class 427; or
- II. Claims 1-24, drawn to the article, classified in class 428.

Applicants' assignee provisionally elected the group II claims (1-24) with traverse. Applicants' assignee hereby affirms that election and withdraws the traverse. Non-elected claims 25 and 26 have therefore been cancelled without prejudice to pursuit of allowance of those claims in a divisional application.

##### **B. Specification Amendments**

The specification has been amended to correct for obvious typographical errors. These amendments do not add new matter.

##### **C. Claim Amendments**

In response to Mr. Pyon's objections during the interview, the applicants have amended existing claims (where necessary) and present herein new claims so that all of the pending claims describe the subject matter of their invention in a format following the undersigned attorney's understanding of Mr. Pyon's description of appropriate claim form, which, according to Mr. Pyon, must include, *inter alia*, a preamble, a transition phrase, and a claim body reciting either means plus function language or structure. As explained above, applicants disagree that such claim format is necessary in the present case. They do agree with Mr. Pyon that the subject matter of this application can be claimed in claims having such structure. Thus, to facilitate allowance of the claims, applicants have followed Mr. Pyon's suggestions and have amended

and present these claims in the structure suggested by Mr. Pyon. For the reasons explained below, they are allowable over the prior art of record.

Moreover, in addition to claim structure amendment, in responding to this Action, applicants' counsel have focused on the practicality that the orthogonal ambiguity of a carpet tile is only commercially significant when two or more orthogonally ambiguous carpet tiles are viewed together. Thus, in order to simplify examination of this application by avoiding the complexities associated with consideration of the property with respect to a single tile, claims 1-20 have been amended to recite multiple carpet tiles exhibiting orthogonal ambiguity. Moreover, claims 23 and 24 have been amended to correct an obvious typographical error (a reference to "carpet" is corrected to read "floorcovering").

#### **D. Claim Rejections**

##### **1. 35 U.S.C. § 102 Rejections**

Claim 1 was rejected under 35 U.S.C. § 102 as being anticipated by Desai (U.S. Patent No. 6,203,879). The Action asserts that "Desai discloses an orthogonally ambiguous carpet tile (col. 5 line 21)." Claim 1 has been restructured to recite carpet tiles having textile faces that exhibit orthogonal ambiguity. The substance of this claim remains unchanged, however.

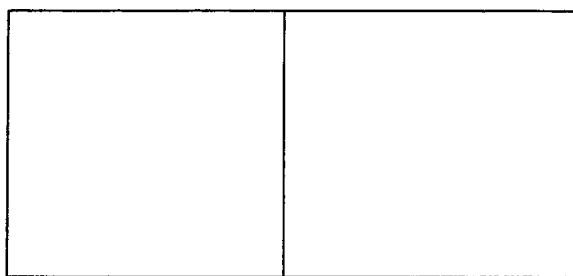
In understanding the present invention as defined in claim 1 and the other claims and in contrasting it with the cited prior art, it is important to understand the full meaning of "orthogonal ambiguity." Applicants defined the term "orthogonal ambiguity" to mean:

that tiles may be laid in *any* side-by-side orientation with respect to adjacent tiles without looking out of place to the ordinary viewer and thereby still achieving an appearance of continuity across the entire installation as if the tiles were part of a broadloom web.

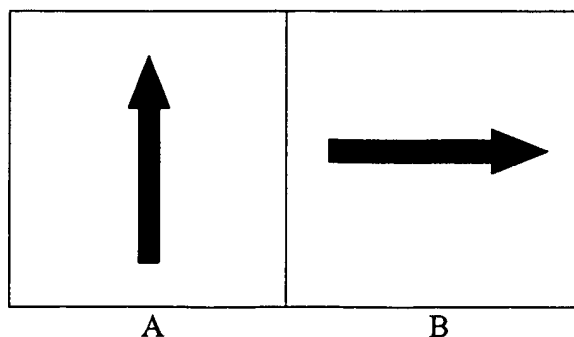
Specification page 2, lines 14-17 (emphasis added).

The appearance of a carpet tile is, of course, a function of at least: (1) the appearance of the shape of the tile (i.e., its outline) and (2) the appearance of the top surface of the tile (including the color(s) and any patterns present in the top surface).

Carpet tile *shape* alone can easily exhibit orthogonal ambiguity. For instance, a square shape exhibits complete or “four way” orthogonal ambiguity, in that such a tile shape can be placed in four rotational orientations (each separated from adjacent orientations by rotation 90 degrees) without the shape of such a tile appearing to be out of place or improperly placed.



However, in order for a tile to be orthogonally ambiguous, as defined in this patent application, so that tiles placed side-by-side exhibit “the appearance of continuity,” the appearance of the *surface* of the tile must also exhibit orthogonal ambiguity. If square tiles are imagined each having a pattern of a tree or arrow on them, it is easy to see that these are not orthogonally ambiguous tiles, because only one orientation of such a tile “B” next to an identical tile “A” in a particular orientation looks “correct.” For instance, here tile “B” is obviously incorrectly oriented if “the appearance of continuity” is desired:



The Examiner asserts at pages 3 and 4 of the March 28, 2002 Office Action, in three places, that “Desai discloses an orthogonally ambiguous carpet tile (col. 5 line 21).” This is not correct because only the carpet tile *shape* illustrated in tile “2” of Fig. 9 in Desai is orthogonally ambiguous, since one such *blank square* can be positioned in any of four rotational orientations without it appearing to be an improperly placed *shape*. Conventional commercially available carpet tiles are square and therefore share this orthogonal ambiguity *of shape*. However, none of the figures or text of Desai teach or suggest entire tiles that exhibit orthogonal ambiguity as that term is defined in this patent application. All of the disclosure in Desai that addresses the appearance of the surface of the tiles indicates that the surface is not orthogonally ambiguous. All of the discussion in Desai indicates that all of the tiles discussed have “pile direction,” “the direction that the yarn [in a carpet tile] leans as a result of manufacturing”:

it should be understood that the present descriptions are based upon a tile's pile direction 13, which represent, for example with carpet tiles, the direction that the yarn leans as a result of manufacturing. As with other types of tile materials, the pile direction may be understood to represent an identifiable or pre-marked direction. For example, the piles may be marked on the underside of the tile with a directional arrow or in another like manner. In essence, the use of the term pile direction is used to indicate the positional relationship of the tiles.

Desai, col. 4, lines 27-36.<sup>1</sup> Moreover, the only designs shown on tiles in the Desai figures are entirely unambiguous so that any rotational orientation of one of these tiles other than those shown in the figures will appear to be out of position (*see, e.g.,* Desai Figures 4 and 5).

Desai concerns methods for cutting tiles out of a web of carpet with different but inter-fitting shapes that form a repeating pattern of rows of tiles across an installation. Most of these shapes are not orthogonally ambiguous. Rather, only the square tiles in Figure 1 and the one

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<sup>1</sup> *See also, e.g.,* col. 2, lines 4-10: “at least three tiles in a series, each tile within the series having at least one side capable of interfacing with a side of at least one other tile within the series, each tile within the series having a different shape in a pile direction than the other tiles within the series such that the last tile within the series is capable of interfacing with the first tile of the next series.”

square tile “2” in Figure 9 are orthogonally ambiguous, but *in shape* only. The portions of Desai quoted above (among other portions) confirm that entire Desai tiles (including the appearance of the face of such tiles) have at least a “pile direction” if not a directionally oriented pattern making it necessary that each tile be rotationally oriented relative to other tiles in only one position. Indeed, one of the reasons for using the Desai cutting system is that it enables an installer placing tiles on a floor to easily maintain the same orthogonal orientation that the tiles had before being cut from the web from which they were produced. See, e.g., Desai col. 1, lines 28-34:

consumers require the installed tiles to have a monolithic look. Consumers expect the finished product to have a seamless, uniform appearance similar to broadloom carpet. Further, an individual installing tiles with a face pattern must carefully orient the tiles to avoid a zippering effect otherwise caused by having offset or overlapping design patterns.

Desai seeks to solve these problems by making it easier for installers to place tiles in the right order and orientation. By contrast, applicants’ invention addresses these problems by producing tiles that will look “right” without regard to pile direction and rotational orientation or positional location relative to other such tiles and thus overcomes these limiting characteristics. By contrast, Desai accepts these characteristics as insurmountable and thus merely attempts to provide a method of cutting and placing tiles to ensure compliance with these limitations. This groundbreaking achievement is accomplished, as the application explains in detail, by placing a pattern *on the face* of the tile that visually masks differences in pile direction and that does not look “out of place” in any of the four possible orthogonal tile orientations. This is achieved using a pattern on the face of the tile that also visually masks differences in pattern orientation and permits any side-by-side location. Nothing in Desai even suggests seeking to achieve the production of tiles that are orthogonally ambiguous, much less teaches how to do it.



Accordingly, Desai does not, as the Action asserts, disclose carpet tiles exhibiting orthogonal ambiguity (as distinguished from a drawing (Desai, Figure 9)) of an orthogonally ambiguous blank square on paper). Consequently, the rejection of claim 1, as well as all of the other rejections, should be withdrawn since all of the rejections rely on this incorrect assertion about what Desai teaches. Claim 1 is therefore allowable.

**2. 35 U.S.C. § 103 Rejections**

**i. Claims 2-4**

The rejection of claims 2-4 as obvious over Desai in view of Hamilton et al. (U.S. Pat. No. 5,198,277) should be withdrawn for the reasons explained above. Neither Desai nor Hamilton et al. teaches carpet tiles that exhibit orthogonal ambiguity; accordingly, no combination of Desai and Hamilton, et al. results in orthogonally ambiguous carpet tiles having tufted, woven or fusion bonded faces.

**ii. Claims 5-20 and 22-24**

Claims 5-20 and 22-24 were rejected under 35 U.S.C. § 103 as being unpatentable over Desai. Claim 5, from which claims 6-19 ultimately depend, and claim 20 both claim orthogonally ambiguous carpet tiles. Moreover, claim 22, from which claims 23 and 24 ultimately depend, claims floorcovering comprising at least two orthogonally ambiguous carpet tiles. At least because, as explained above, Desai fails to teach or suggest orthogonally ambiguous carpet tiles, all of these claims are allowable.

In addition to misinterpreting Desai as teaching orthogonally ambiguous carpet tiles, at page 4 of the Office Action, the Action asserts that “Desai discloses wherein the pattern comprises shapes at least one of which shapes is formed by at least one straight-line oriented parallel to an edge of the carpet tile (see figure 9).” This misconstrues the meaning of the claim

terms. The Action uses the term “pattern” to refer to the shapes of the tiles. This is confirmed by that fact that no pattern is shown on the tiles in Figure 9, just their shapes. Applicants’ use of the term “pattern” refers, by contrast, not to the shape of the entire tile but to the appearance of the face of the tile and to shapes, colors, etc. within the pattern on that face. See, e.g., page 4, lines 7, 8 (“The pattern produced on web 22 produces tiles with shapes that appear randomly positioned on the tile.” Emphasis added.); and amended claim 5 (“Orthogonally ambiguous carpet tiles, wherein each tile has a pattern comprising a background color and a first color different from the background color.”). Contrary to the Action’s assertion, Desai fails to teach or suggest carpet tiles with a pattern having a shape formed by a straight line or edge, as recited in claims 7 and 23, much less a straight line or edge that is oriented parallel to a carpet tile edge, as recited in claims 9 and 20. These claims, as well as claims 8-19 and 24, which ultimately depend from allowable claims 7 and 23, respectively, are allowable for this additional reason.

Moreover, in addition to the reasons explained above, the rejection of claims 5-20 and 22-24 as being unpatentable over Desai should be withdrawn for the independent reason that there is no support provided for the Examiner’s assertion of obviousness or the absence of unexpected results. The result of manufacturing a design according to the limitations of these claims is most certainly unexpected: such tiles exhibit orthogonal ambiguity, a feature not previously achieved in carpet tiles or demonstrated or described in the art of record. While the Examiner is of course correct that it is known that “colors may be modified,” the limitations of applicants’ claims 5-20 and 22-24 are not merely “modification of colors.” Those limitations are specific to certain properties of shapes, background color, adjacency of colors and shapes, and intensities of color.

Thus, even if it were true (and it is not) that Desai described orthogonally ambiguous carpet tiles, there is absolutely nothing of record that suggests the unexpected result – production of orthogonally ambiguous carpet tiles – attained by practicing the other limitations of these claims. As the Examiner acknowledged, Desai does not disclose:

To have provided shapes that are further formed from at least one of a plurality [of] colors comprising at least a background color, a first color, and a second color, wherein at least one of the shapes is formed from the background color only, at least one of the shapes is formed from [sic, from] the background color and second color only, and at least one of the shapes is formed from the background color, the first color, and the second color, wherein the background color, the first color, and the second color have similar intensities and wherein the adjacent shapes comprise at least one common color.

Office Action, p. 5. Accordingly, the rejection of claims 5-20 and 22-24 should be reconsidered and withdrawn for the additional reasons that the unexpected result of practice of the additional limitations of these claims is production of orthogonally ambiguous carpet tiles, and the Examiner has identified nothing in the prior art of record that would suggest the practice of these limitations for any reason, much less in order to achieve the benefits of this invention. For this additional reason, claims 5-20 and 22-24 are allowable.

### **iii. Claim 21**

Claim 21 is not addressed in the text of the Office Action. However, claim 21 recites floorcovering comprising at least two orthogonally ambiguous carpet tiles and is therefore allowable for at least the reasons that claim 1 is allowable, as explained above. Accordingly, claim 21 should be allowed.

## **V. New Claims**

New claims 27-31 and 41-45 ultimately depend from allowable claim 1 and are therefore allowable for at least this reason.

None of the cited references teach or suggest the web pattern recited in claim 32. At least for this reason, claims 33-39, which all ultimately depend from claim 32, are allowable.

New claim 40 depends from allowable claim 21 and is allowable for at least this reason.

New claims 46-48 all relate to the orthogonal ambiguity of carpet tiles, which is neither taught nor suggested by the cited art. These claims are therefore allowable.

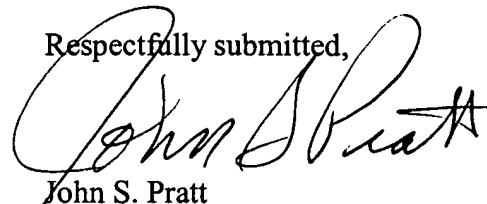
#### **PETITION FOR ONE-MONTH TIME EXTENSION**

To the extent necessary, under 37 C.F.R. § 1.136(a) (1998) assignee hereby petitions that the period for responding to the Examiner's Action mailed on March 28, 2002 be extended for one month, up to and including July 29, 2002. Enclosed is \$110 to cover the appropriate fee for this extension under 37 C.F.R. § 1.17.

#### **CONCLUSION**

Applicants respectfully submit that claims 1-24 and 27-48 are in condition for immediate allowance, and request early notification to that effect. If any issues remain to be resolved, the Examiner is respectfully requested to contact the undersigned at 404.815.6367 to arrange for a telephone interview prior to issuance of a final Office action.

Respectfully submitted,



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Marked-up copy of amended specification pursuant to 37 C.F.R. §1.121(b)

“Orthogonally ambiguous” tiles must be positioned in one of sixteen positions relative to each other tile. Such positioning is achieved by rotating adjacent tiles in ninety degree increments relative to each other. A “rotational position indeterminate” carpet web pattern can be imaged in which any tile can be cut from the web in any rotational position relative to any other tile cut from the web, including a rotational position ~~displayed~~ displaced by other than ninety degree increments (e.g. forty-five degrees). However, cutting tiles from a web at such orientations would generally produce substantial waste and be impractical.

Marked-up copy of amended claims pursuant to 37 C.F.R. §1.121(c)

1. (Amended) [An orthogonally ambiguous carpet] Carpet tiles comprising textile faces that exhibit orthogonal ambiguity.
2. (Amended) The orthogonally ambiguous carpet tiles of claim 1, wherein the tiles [has] have [a] tufted faces.
3. (Amended) The orthogonally ambiguous carpet tiles of claim 1, wherein the tiles [has] have [a] woven faces.
4. (Amended) The orthogonally ambiguous carpet tiles of claim 1, wherein the tiles [has] have [a] fusion bonded faces.
5. (Amended) [An orthogonally] Orthogonally ambiguous carpet tiles, wherein each tile has [having] a pattern comprising a background color and a first color different from the background color.
6. (Amended) The carpet tiles of claim 5, wherein the background color and the first color have similar intensities.
7. (Amended) The carpet tiles of claim 5, wherein the pattern comprises shapes, at least one of which shapes is formed by at least one straight line.

8. (Amended) The carpet tiles of claim 7, wherein adjacent shapes comprise at least one common color.
9. (Amended) The carpet tiles of claim 7, wherein the at least one straight line is oriented parallel to [an] a carpet tile edge [of the carpet tile].
10. (Amended) The carpet tiles of claim 7, wherein at least one shape comprises only the background color.
11. (Amended) The carpet tiles of claim 7, wherein a least one shape comprises the background color and the first color.
12. (Amended) The carpet tiles of claim 7, wherein the pattern further comprises a second color different from the background color and the first color.
13. (Amended) The carpet tiles of claim 12, wherein the background color, the first color, and the second color have similar intensities.
14. (Amended) The carpet tiles of claim 12, wherein at least one shape comprises only the background color and the second color.
15. (Amended) The carpet tiles of claim 12, wherein at least one shape comprises the background color, the first color, and the second color.

16. (Amended) The carpet tiles of claim 12, wherein the pattern further comprises a third color different from the background color, the first color, and the second color.

17. (Amended) The carpet tiles of claim 16, wherein the background color, the first color, the second color, and the third color have similar intensities.

18. (Amended) The carpet tiles of claim 16, wherein at least one shape comprises only the background color and the third color.

19. (Amended) The carpet tiles of claim 16, wherein at least one shape comprises only the background color, the second color, and the third color.

20. (Amended) [An orthogonally] Orthogonally ambiguous carpet tiles comprising a pattern of shapes, at least one of which shapes on each tile is formed by a straight line oriented parallel to an edge of the carpet tile on which the at least one shape appears, wherein the shapes are further formed from at least one of a plurality of colors comprising at least a background color, a first color, and a second color, wherein at least one of the shapes on each tile is formed from the background color only, at least one of the shapes on each tile is formed from the background color and the first color only, at least one of the shapes on each tile is formed from the background color and the second color only, and at least one of the shapes on each tile is formed from the background color, the first color, and the second color, wherein the background



color, the first color, and the second color have similar intensities and wherein adjacent shapes on the tiles comprise at least one common color.

23. (Amended) The [carpeting] floorcovering of claim 22, wherein the pattern on each of the at least two orthogonally ambiguous carpet tiles comprises shapes, at least one shape on each of the at least two orthogonally ambiguous carpet tiles having a straight side.

24. (Amended) The [carpeting] floorcovering of claim 23, wherein adjacent shapes on each of the at least two orthogonally ambiguous carpet tiles comprise at least one common color.

-- 27. (New) The carpet tiles of claim 1, wherein the tiles are square. --

-- 28. (New) The carpet tiles of claim 1, wherein each tile comprises tile edges and each tile face comprises a pattern with at least one rectangular shape. --

-- 29. (New) The carpet tiles of claim 28, wherein the at least one rectangular shape comprises a shape edge parallel to at least one edge of the tile on which the at least one rectangular shape appears. --

-- 30. (New) The carpet tiles of claim 29, wherein the at least one rectangular shape comprises shape edges parallel to a first pair of opposed edges of the tile on which the at least one rectangular shape appears and shape edges parallel to a second pair of opposed edges of the tile on which the at least one rectangular shape appears. --

-- 31. (New) The carpet tiles of claim 1, wherein the faces comprise a pattern formed from at least two colors. --

-- 32. (New) A carpet web having a width and a length and comprising a textile face having a pattern comprising a plurality of shapes formed by a plurality of colors, wherein at least some adjacent shapes on the web comprise a common color and none of the shapes extends the full length or width of the web, wherein the web is separable into carpet tiles so that the tiles cut from the web all comprise a common color and at least a portion of at least some of the plurality of shapes appear on each carpet tile cut from the web, each of which shapes having an edge that parallels at least one edge of the carpet tile on which it appears. --

-- 33. (New) The web of claim 32, wherein the face is tufted and the plurality of colors comprises a first color and a second color, wherein at least some of the plurality of shapes are formed by yarn tufts of the first color and the second color, at least some of the yarn tufts of the first color having a height greater than at least some of the yarn tufts of the second color proximate the tufts of the first color. --

-- 34. (New) The web of claim 32, wherein at least some of the plurality of shapes are rectangular shapes. --

-- 35. (New) A carpet tile cut from the web of claim 32. --

-- 36. (New) The carpet tile of claim 35, wherein the tile is square. --

-- 37. (New) The carpet tile of claim 35, wherein at least some of the plurality of shapes appearing on the carpet tile comprise straight edges, and wherein at least one of the straight edges of each shape parallels a first pair of opposed edges of the carpet tile on which the shape appears and at least one of the straight edges of each shape parallels a second pair of opposed edges of the carpet tile on which the shape appears. --

-- 38. (New) Floorcovering comprising a plurality of carpet tiles cut from the web of claim 32 and positioned on a flooring surface. --

-- 39. (New) The floorcovering of claim 38, wherein the plurality of tiles can be positioned side-by-side on the flooring surface in any side-by-side or rotational orientation relative to each other without the locations at which adjacent tiles abut being visually prominent. --

-- 40. (New) A method of producing the floorcovering of claim 21 comprising forming carpet tiles having textile faces exhibiting orthogonal ambiguity and positioning the carpet tiles side-by-side on a flooring surface in any side-by-side or rotational orientation relative to each other. --

-- 41. (New) A method of producing the carpet tiles of claim 1 comprising forming carpet tiles having an orthogonally ambiguous pattern. --

-- 42. (New) The method of claim 41, wherein the carpet tiles are formed by designing a pattern for a carpet web, producing the carpet web with the pattern, and cutting the carpet web into the tiles. --

-- 43. (New) The method of claim 42, wherein the pattern for the carpet web is designed by:  
a. selecting a background color for the carpet web;  
b. using a plurality of colors, including the background color, to form shapes on the carpet web; and  
c. designing and positioning the shapes on the carpet web so that at least one shape has at least one straight side parallel to an edge of the carpet web and adjacent shapes have at least one common color.

-- 44. (New) The method of claim 42, wherein the carpet web is produced using a tufting machine. --

-- 45. (New) The method of claim 41, wherein the carpet tiles are formed by printing the pattern on the tiles. --

-- 46. (New) An assembly of carpet tiles having an appearance of continuity in which no tile looks out of place, each of the tiles having a textile face comprising means for rendering the

position and orientation of the tiles irrelevant to the appearance of continuity across the assembly of tiles. --

-- 47. (New) An assembly of side-by-side carpet tiles, each of which tile has a textile face comprising a pattern not identical to any other tile of the assembly, the patterns having shapes and colors rendering the appearance of the tiles continuous across the assembly so that no tile looks out of place or out of position in any place or position in the assembly. --

-- 48. (New) An assembly of carpet tiles presenting a continuous appearance, wherein each tile is rotationally oriented in the assembly and wherein the rotational orientation of at least one tile may be altered without disrupting the appearance of continuity. --